

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CONANT PLAZA PHARMACY LLC,
a Michigan Limited Liability Company
d/b/a "CONANT PHARMACY"

Plaintiff,

Case No: 05-73406
Honorable: Anna Diggs Taylor
Magistrate Judge Mona K. Majzoub

v.

BFRX L.L.C.
a Michigan Limited Liability Company
d/b/a "CONANT PHARMACY"

Chadi A. Bazzi
an individual
d/b/a "CONANT PHARMACY"

Nabil Hussein Fakih
an individual
d/b/a "CONANT PHARMACY"
Jointly and Severally

Defendants.

Dobrusin & Thennisch, P.C.
Hattem A. Beydoun (P66071)
Jeffrey P. Thennisch (P51499)
Attorneys for Plaintiff
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Allen Brothers PLLC
James P. Allen, Sr. (P52885)
Attorney for Defendants
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STIPULATED PERMANENT INJUNCTION ORDER

Plaintiff, CONANT PLAZA PHARMACY LLC (hereinafter “Plaintiff”) and Defendants, BFRX L.L.C., Chadi A. Bazzi and Nabil Hussein Fakih (hereinafter “Defendants”), by and through their respective counsel, do hereby stipulate and agree to entry of a permanent injunction under Federal Rule of Civil Procedure 65, enjoining and restraining Defendants, their officers, agents, attorneys, principals, subsidiaries, affiliates, servants and any persons, firms or corporations acting in concert with them from:

- i. Using the mark, designation, or phrase Conant by itself, or Conant Pharmacy as set forth in Plaintiff’s Complaint, or any reproduction, counterfeit, copy or colorable imitation of said mark Conant Pharmacy or Conant in connection with the advertising, promotion, display, distribution, provision, sale, or offering for sale of the Defendants’ goods or services to the public in the United States, or in any manner likely to cause others to believe that Defendant’s goods or services are affiliated, sponsored by, or connected with Plaintiff and its mark, Conant Pharmacy or Conant; and
- ii. Passing off, inducing, or enabling others to sell or pass off any good or service to the public as genuine, authorized, or otherwise emanating from or sponsored by Plaintiff and its mark, Conant Pharmacy; and
- iii. Committing any other acts calculated to cause purchasers or consumers to believe that the Defendant’s products or services, are affiliated with Plaintiff and its mark, Conant Pharmacy; including taking all available steps to remove all advertising and other media from the stream of commerce and refrain from any future uses of Conant Pharmacy, or any colorable imitation thereof, in all advertisements, catalogs, promotional publications, internet websites, and other media wherein the public would encounter or view the use of Conant Pharmacy; and.

The parties further stipulate and agree that Defendants shall have until December 1, 2005 to fulfill Defendants’ obligations and requirements as stated above with the exception that Defendants’ have until April 1, 2006 to convert current insurance agreements so that they are in compliance with this permanent injunction:

This Order shall remain in effect unless otherwise modified by further Order of the Court.
So Stipulated And Approved:

s/Hattem Beydoun/ Dated: 11/9/2005
Hattem A. Beydoun (P66071)
Attorneys for Plaintiff
Dobrusin & Thennisch, PC
29 W. Lawrence Street, Suite 210
Pontiac, Michigan 48342
(248) 292-2920

s/James Allen/ Dated: 10/31/05
James P. Allen, Sr. (P52885)
Attorney for Defendants
Allen Brothers PLLC
400 Monroe St, Suite 220
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(313) 962-7777

IT IS SO ORDERED:

DATED: November 17, 2005

s/Anna Diggs Taylor
Hon. Anna Diggs Taylor
United States District Judge
U.S. District Court for the
Eastern District of Michigan

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing *Stipulated Permanent Injunction Order* was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail (James P. Allen, Sr. and Jeffrey P. Thennisch) disclosed on the Notice of Electronic Filing on **November 17, 2005**.

s/Johnetta M. Curry-Williams
Case Manager